



## Legislation Details (With Text)

**File #:** 2595-2014      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 11/4/2014      **In control:** Health & Human Services Committee

**On agenda:** 12/8/2014      **Final action:**

**Title:** To authorize the Director of Finance and Management to establish a purchase order with TheraCom, LLC for the purchase of Nexplanon for Columbus Public Health in accordance with sole source provisions of the Columbus City Codes; to authorize the expenditure of \$4,875.00 from the Health Department Grants Fund; and to declare an emergency. (\$4,875.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Nexplanon Sole Source Letter 2014, 2. Nexplanon Price Quote 2014, 3. Nexplanon Sole Source Form 2014

| Date       | Ver. | Action By             | Action   | Result |
|------------|------|-----------------------|----------|--------|
| 12/10/2014 | 1    | CITY CLERK            | Attest   |        |
| 12/9/2014  | 1    | MAYOR                 | Signed   |        |
| 12/8/2014  | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 12/8/2014  | 1    | Columbus City Council | Approved | Pass   |

**BACKGROUND:** Columbus Public Health provides long acting reversible contraception (LARCS) for patients of its Family Planning Clinic. One of the most commonly distributed LARCS is Nexplanon. Nexplanon is the only birth control implant of its kind. Nexplanon is marketed and distributed in the United States by Merck Sharp & Dohme Corp., a subsidiary of Merck and Co., Inc. There are only two authorized distributors for Nexplanon in the United States: CuraScript, Inc. and TheraCom, LLC/CVS Caremark, LLC. The price of Nexplanon is consistent across these two authorized distributors. This ordinance authorizes the purchase of Nexplanon from Theracom, LLC, in an amount not to exceed \$4,875.00.

Emergency action is requested to ensure a sufficient supply of Nexplanon for patients.

TheraCom, LLC's contract compliance number is 522005869 and expires 6/28/15.

**FISCAL IMPACT:** Funding for this purchase is budgeted in the 2014 Health Department Grants Fund Budget.

To authorize the Director of Finance and Management to establish a purchase order with TheraCom, LLC for the purchase of Nexplanon for Columbus Public Health in accordance with sole source provisions of the Columbus City Codes; to authorize the expenditure of \$4,875.00 from the Health Department Grants Fund; and to declare an emergency. (\$4,875.00)

**WHEREAS,** Columbus Public Health provides Nexplanon for patients of the Family Planning Clinic in the City of Columbus; and,

**WHEREAS**, CuraScript, Inc. and TheraCom are the only authorized distributors of Nexplanon, and the pricing is consistent across the two distributors; and,

**WHEREAS**, an emergency exists in the usual daily operation of Columbus Public Health in that it is immediately necessary to establish a purchase order with TheraCom, LLC for the immediate preservation of the public health, peace, property, safety and welfare, and to ensure a sufficient supply of Nexplanon for the needs of patients; Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Finance and Management is hereby authorized to establish a purchase order with TheraCom, LLC for the purchase of Nexplanon.

**SECTION 2.** That the total expenditure of \$4,875.00 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, Grant No. 501423, OCA Code 501423.

**SECTION 3.** That this purchase is in accordance with the provisions of the Columbus City Code, Section 329.07(e), "Sole Source Procurement."

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.